



House of Representatives

General Assembly

File No. 46

January Session, 2017

Substitute House Bill No. 6975

House of Representatives, March 13, 2017

The Committee on Environment reported through REP. DEMICCO of the 21st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT PROHIBITING THE PRACTICE OF "ROLLING COAL".

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 14-164c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2017*):

4 (a) (1) No person shall fail to maintain in good working order or
5 remove, dismantle or otherwise cause to be inoperative any equipment
6 or feature constituting an operational element of the air pollution
7 control system or mechanism of a motor vehicle required by
8 regulations of the Commissioner of Energy and Environmental
9 Protection to be maintained or on the vehicle. Any such failure to
10 maintain in good working order or removal, dismantling or causing of
11 inoperability shall subject the owner thereof to revocation of
12 registration for such vehicle by the Commissioner of Motor Vehicles
13 unless all parts and equipment constituting elements of air pollution
14 control have been made operable and in good working order within
15 sixty days of notice by said commissioner of such violation. Any such

16 failure shall be considered a failure to comply with the periodic
17 inspection requirements established under subsection (c) of this
18 section. As used in this section, "motor vehicle" has the same meaning
19 as provided in section 14-1.

20 (2) No person shall: (A) Install any device or equipment, including,
21 but not limited to, any switch or button, that is intended to cause or
22 facilitate a visual exhibition of smoke that consists of the release of
23 soot, smoke or other particulate emissions to the air and onto
24 roadways, other motor vehicles, bicyclists or pedestrians, or (B)
25 operate a motor vehicle in a manner that causes a visual exhibition of
26 smoke that consists of the release of soot, smoke or other particulate
27 emissions to the air and onto roadways, other motor vehicles, bicyclists
28 or pedestrians, in a manner that: (i) Causes a reasonable person to feel
29 harassed, annoyed or alarmed, (ii) obstructs or obscures any person's
30 view of the roadway, other users of the roadway or a traffic control
31 device, or (iii) creates a hazard to a motor vehicle operator, bicyclist or
32 pedestrian. Any person who violates the provisions of this subdivision
33 shall be fined not more than one thousand dollars or imprisoned not
34 more than thirty days, or both.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2017	14-164c(a)
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ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
Resources of the General Fund	GF - Revenue Gain	Less than 10,000	Less than 10,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in potential revenue gain from a new penalty by prohibiting motor vehicle operators from engaging in the practice of emitting dense smoke from a motor vehicle. As this is a new prohibition, it is uncertain how many violations will occur but it is anticipated that less than 10 will be charged and result in revenue of less than \$10,000.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 6975*****AN ACT PROHIBITING THE PRACTICE OF "ROLLING COAL".*****SUMMARY**

This bill prohibits motor vehicle operators from engaging in the practice of emitting dense smoke from a motor vehicle ("rolling coal").

It prohibits the installation, on a motor vehicle, of any device or equipment, including a switch or button, intended to discharge visible smoke, soot, or other particulate emissions into the air and onto roads, other motor vehicles, bicyclists, or pedestrians.

It also prohibits anyone from operating a motor vehicle so as to emit such a discharge that (1) causes a reasonable person to feel harassed, annoyed, or alarmed; (2) blocks or obscures anyone's view of the roadway, other road users, or a traffic control device; or (3) creates a hazard for a driver, bicyclist, or pedestrian.

A violation is punishable by a fine of up to \$1,000, imprisonment up to 30 days, or both.

EFFECTIVE DATE: October 1, 2017

BACKGROUND***Related Laws and Regulations***

It is a violation of the federal Clean Air Act to manufacture, sell, or install a motor vehicle part that bypasses, defeats, or renders inoperative any emission control device (42 U.S.C. § 7401 et seq.).

State law prohibits anyone from removing, dismantling, or rendering inoperable a vehicle's air pollution control system. The Department of Motor Vehicles may revoke a violator's vehicle

registration (CGS § 14-164c).

State law also requires motor vehicles to be equipped and adjusted to prevent excessive fumes or exhaust smoke. Violators face a \$150 fine (CGS § 14-80(c)).

State environmental regulations also prohibit, with certain exceptions, gasoline-powered motor vehicles from discharging visible emissions for longer than five consecutive seconds and diesel-powered vehicles from emitting smoke exceeding certain opacity standards for more than 10 consecutive seconds (Conn. Agency Regs. § 22a-174-18 (b)).

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 26 Nay 4 (02/22/2017)